



DTOS PCT/PTO 29 JUL 2004

Practitioner's Docket No. 057878-000004

PATENT

#4

IN THE UNITED STATES RECEIVING OFFICE

PCT/US02/40881	19.12.02 19 December 2002	21.12.01 21 December 2001
International Application Number	International Filing Date	International Earliest Priority Date

TITLE OF INVENTION: METHOD OF IDENTIFYING NOVEL PROTEINS

APPLICANT(S) FOR EO/DO: APPLIED RESEARCH SYSTEMS ARS HOLDING
N.V.

INVENTOR(S)/APPLICANT(S) FOR US: Grace Wong

U.S.S.N. 10/500,267

**VERIFIED CERTIFICATION OF MAILING DATE
(INTERNATIONAL APPLICATION (37 C.F.R. section 1.10(c)))**

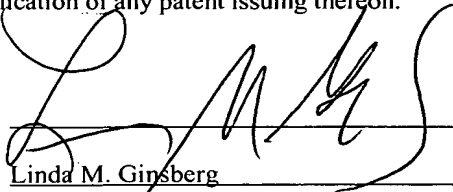
I declare that, on July 27 2004 I deposited, with the United States Postal Service, in an envelope "First Class Mail, Post Office to Addressee," addressed to the "MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450," and having an first class mail certification that I executed, the following papers:

1. Certificate of Mailing (1 pg.);
2. COPY – Certificate of Limited Recognition (1 pg.);
3. Form 1390 Transmittal (3 pp.);
4. Information Disclosure Statement with Form 1449 (5 pp.);
5. COPY – References A1-A2; B1 and C1-C19; and
6. Return Receipt Postcard.

A copy of these papers from the file of this application is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date: July 27, 2004


Linda M. Ginsberg
(type or print name of person certifying)



**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATES PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Leena H. Karttunen is hereby given limited recognition under 37 CFR § 10.9(b), as an employee of the law firm of Nixon Peabody LLP, to prepare and prosecute patent applications wherein the patent applicant is a client of the law firm of Nixon Peabody LLP, and a registered practitioner, who is a member of the law firm of Nixon Peabody LLP, is the practitioner of record in the applications. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Leena H. Karttunen ceases to lawfully reside in the United States, (ii) Leena H. Karttunen's employment with the law firm of Nixon Peabody LLP, ceases or is terminated, or (iii) Leena H. Karttunen ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such limited recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: June 14, 2005

**Harry I. Moatz
Director of Enrollment and Discipline**

JUL 29 2004

057878-4

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10/500,267

INTERNATIONAL APPLICATION NO.

PCT/US02/40881

INTERNATIONAL FILING DATE

19 December 2002 (19.12.2002)

PRIORITY DATE CLAIMED

21 December 2001 (21.12.2001)

TITLE OF INVENTION METHOD OF IDENTIFYING NOVEL PROTEINS

APPLICANT(S) FOR DO/EO/US APPLIED RESEARCH SYSTEMS ARS HOLDING N.V. and WONG, Grace

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
Certificate of Mailing; COPY - Certificate of Limited Recognition; COPY - References A1-A2, B1 and C1-C19; Return Receipt Postcard

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/500,267		INTERNATIONAL APPLICATION NO. PCT/US02/40881		ATTORNEY'S DOCKET NUMBER 057878-4	
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21. ☐ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO. **\$1080.00**

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO **\$920.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$770.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$730.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of **\$130.00** for furnishing the oath or declaration later than 30 months
from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$18.00	\$	
Independent claims	- 3 =		x \$86.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$
				charged:	\$

CALCULATIONS PTO USE ONLY

a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.


c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 50-0850. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)
or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

David S. Resnick
Nixon Peabody LLP
100 Summer Street
Boston, MA 02110
US


 SIGNATURE
David S. Resnick/Leena H. Karttunen
 NAME
34,235/10.9(b)
 REGISTRATION NUMBER

IN THE UNITED STATES RECEIVING OFFICE

PCT/US02/40881	19.12.02 19 December 2002	21.12.01 21 December 2001
International Application Number	International Filing Date	International Earliest Priority Date

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N.V.

INVENTOR(S)/APPLICANT(S) FOR US: Grace Wong

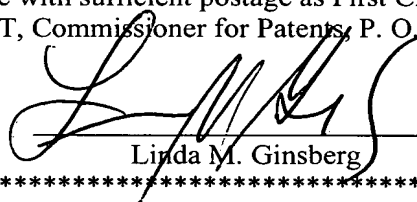
U.S.S.N. 10/500,267

MAIL STOP PCT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being:
deposited with the United States Postal Service with sufficient postage as First Class Mail in
an envelope addressed to the MAIL STOP PCT, Commissioner for Patents, P. O. Box 1450,
Alexandria, VA 22313-1450.

Date: July 27 2004


Linda M. Ginsberg

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§1.56 and 1.97, Applicants herewith
submit the publications and/or patents shown on the attached form PTO-1449, for
consideration by the Examiner in connection with the examination of the above-identified
patent application.

I. REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

X (1) within three (3) months of the Filing Date or **before the mailing date**
of the First Office Action on the merits; or

- (2) within three months of the mailing date of the PCT International Search Report; or
- (3) after the period defined in (1) but before the mailing date of a **Final Rejection** or **Notice of Allowance**, and the requisite Certification or fee under Rule 1.17(p), namely **\$180.00**, is included herein; or
- (4) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form(s) PTO-1449 be made of record in this application. Copies of these documents (CHECK ONE):

 X are enclosed herewith; and

— have been cited in the parent application, and are thus not being resubmitted herein.

Early examination and allowance of the present application are respectfully solicited.

FEE AUTHORIZATION

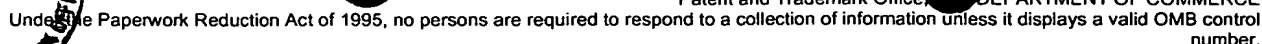
Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account No. 50-0850. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,



David S. Resnick (Reg. 34,235)
Leena H. Karttunen (37 C.F.R. 10.9(b))
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110
(617) 345-6057

Date: July 27, 2004



PTO/SB/08A/B 08-03)
Approved for use through 07/31/2006. OMB 0651-0031
Patent and Trademark Office, DEPARTMENT OF COMMERCE
and to a collection of information unless it displays a valid OMB control
number

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	3
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Complete if Known

Application Number	10/500,267
Filing Date	12/19/2002 (IA DATE)
First Named Inventor	Grace Wong
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	057878-4

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of US PTO Patent Documents at www.uspto.gov or MPEP 901.04 ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the US PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the US PTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449 PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/500,267
				Filing Date	12/19/2002 (IA DATE)
				First Named Inventor	Grace Wong
				Art Unit	To be assigned
				Examiner Name	To be assigned
				Attorney Docket Number	057878-4
Sheet	2	of	3		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	C1	Akopian, A.N. et al., Chapter 2 in Functional Genomics, eds. S.P. Hunt and F.J. Livesey, Oxford University Press, pp. 9-31 (2000)	
	C2	Altschul, S.F. et al., Nature Genetics, 6:119-129 (1994)	
	C3	Altschul, S.F. et al., J. Mol. Biol., 215:403-410 (1990)	
	C4	Altschul, S.F. et al., Nucleic Acids Research, 25(17):3389-3402 (1997)	
	C5	Altschul S.F. et al., Methods in Enzymology, 266:460-480 (1996)	
	C6	Bairoch A. et al., Nucleic Acids Research, 22(17):3578-3580 (1994)	
	C7	Baldi, P. et al., Sequence Learning, 1828:80-104 (2000)	
	C8	Biocca, S. et al., Biochemical and Biophysical Research Communications, 197(2):422-427 (1993)	
	C9	Gish, W. et al., Nature Genetics, 3:266-272 (1993)	
	C10	Green, L.L. et al., Nature Genetics, 7:13-21 (1994)	

Examiner Signature	Date Considered
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*EXAMINER if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the US PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the US PTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449 PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/500,267
				Filing Date	12/19/2002 (IA DATE)
				First Named Inventor	Grace Wong
				Art Unit	To be assigned
				Examiner Name	To be assigned
Sheet	3	of	3	Attorney Docket Number	057878-4

C11		Huse, W.D. et al., Science, 246:1275-1281 (1989)	
C12		Lonberg, N. et al., Nature, 368:856-859 (1994)	
C13		Madden, T.L. et al., Methods in Enzymology, 266:131-141(1996)	
C14		Mhashilkar, A.M. et al., The EMBO Journal, 14(7):1542-1551 (1995)	
C15		Nielsen, H. et al., Protein Engineering, 10(1):1-6 (1997)	
C16		O'Farrell, P.H., The Journal of Biological Chemistry, 250(10):4007-4021 (1975)	
C17		Richardson, J.H. et al., Proc. Natl. Acad. Sci. USA, 92:3137-3141 (1995)	
C18		Wootton, J.C. et al., Methods in Enzymology, 266:554-571 (1996)	
C19		Zhang, J. et al., Genome Research, 7:649-656 (1997)	

Examiner Signature		Date Considered	
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*EXAMINER if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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